

MEETING OF THE CITY OF RUSHVILLE, INDIANA COMMON COUNCIL

NOVEMBER 17, 2015

6:00 P.M.

CALL TO ORDER: The Common Council of the City of Rushville met on the above date and time at 270 West 15th Street, Rushville, Indiana. Mayor Pavey called the meeting to order at 6:03 p.m.

PLEDGE TO THE FLAG: The Pledge to the Flag was recited by those present.

PRAYER: Councilman Berkemeier led those present in prayer.

ROLL CALL: Bob Bridges, Brian Conner, Craig Smith, Brad Berkemeier, and Brian Sheehan answered roll call. Student Advisor, Makayla Herbert, was not present. Also present were City Attorney, Tracy Newhouse, and Kate Thurston, *Rushville Republican*.

PUBLIC HEARINGS:

1. **Zoning Amendment for Youth Camp:** Councilman Berkemeier explained that the purpose was to define a youth camp in the same vain as schools as far as locations of confined feeding systems. Mayor Pavey asked for any questions or comments. He said per the Mahoney Valley Youth Camp Director, this is just an effort to protect the children.

A spokesman from Heritage Christian Camp said there is a proposed confinement going in east of their facility. He said they just want reasonable setbacks. Sheehan made a motion to close the public hearing. Conner seconded the motion. Motion carried.

2. **Proposed Replacement of Zoning Ordinance Including Zoning Map:** Mayor Pavey explained that the City will be under new guidelines. Shelly Wakefield passed out proposed updates to the current statutes. She said the districts would stay the same, the landscaping is more user friendly, and the sign ordinance has been enhanced. This will also reference prior documents adopted by ordinance. Bridges made a motion to close the Public Hearing. Smith seconded the motion. Motion carried.
3. **Request to Vacate Alley:** County Attorney, Leigh Morning, explained that the request was filed by the County Commissioners. They are requesting to close the east half of the east-west alley towards Perkins Street.

Pavey said he has a concern since there is a forced main of the City's in this area. Morning said the County is aware of the main and would include this in the construction plan if needed.

Sheehan asked if the plans were final. Morning said they were not final. She said the County has not yet selected an architect. He asked if the construction does not happen in this area does the vacation go back. Newhouse said it would not go back. Pavey asked if we could vacate contingent on the construction. Both attorneys said no. Morning said legally you can only delay making a decision.

Smith said we are getting ahead of ourselves since we don't even have a design yet. Pavey said he didn't have a problem with the vacation, he just wants it done in the right sequence.

Mark Bacon said this is the desired location and has been voted on. Morning said they could grant the city an easement to the forced main. Conner made a motion to close the public hearing. Sheehan seconded the motion. Motion carried.

MINUTES: Bridges made a motion to approve the minutes as presented. Sheehan seconded the motion. Motion carried.

MAYOR'S REPORT: Mayor Pavey reported the following:

1. Met with the Herdrich family on the 4th regarding the alley vacation.
2. Met with BFS on the 9th regarding 16th Street drainage.
3. Ribbon cutting for the industrial park was on the 9th.
4. Carthage Town Council voted to approve the interlocal agreement between the City and the 2 Towns.
5. The first meeting of the governing board is on the 10th.
6. Had a meeting with the architects for the City Center on the 13th.
7. There was an HCI meeting on the 16th.
8. Today was the Optimist Youth in Government Day.
9. The Fire Department interviews will be on the 18th.
10. Dollar Tree ribbon cutting is on the 20th.
11. Santa Clause comes to town the evening of the 20th.
12. The Capital Planning Meeting is on the 24th.
13. Ocra will award the City Center grant on the 7th.
14. The ECDC annual meeting is on the 10th.
15. The Heritage Christmas party is on the 16th.
16. The APC/BZA governing body approved the job description and the position has been advertised. Resumes are due back on the 7th. Three candidates will be selected to interview on the 14th.
17. Andrea (BFS) is looking into other options for 16th Street. We will meet with landowners to discuss our options.
18. We are working on the subgrade and foundations for the Farmers Market.
19. The storm water grant project will be announced December 1.
20. The announcement for the workforce development grant will be December 2.

CLERK-TREASURER'S REPORT: Clerk-Treasurer Copley passed out updates for code books.

COUNCIL PRESIDENT'S REPORT: Council President Bridges informed Council of the 30 day period for the Intat air quality permit. The permit is on file at the public library for review.

COMMITTEE REPORTS:

- **Amphitheater/Park Board** – The committee is selecting bands for 2016.
- **Marketing** – No report.
- **APC/BZA** – Discussed.
- **City Center** – We are working through the design for the 2nd floor.
- **Cherry Street Extension** – No report.

DEPARTMENT HEAD REPORTS:

Animal – Warden Moran said their inspection is tomorrow. A report will follow.

Park – Park Director Gurley said he continues to work on the master plan. He is waiting on the GIS boundaries from the County.

The Park Board has moved up the application and interview period for the lifeguards to give them sufficient time to obtain their certification. The remaining employees will continue to take place in February.

Bowles Construction is preparing a quote for the automated plumbing fixtures for the pool.

The Mayor and Gurley toured the parks last week to prioritize repairs and improvements.

Gurley continues meeting with organizations to promote and utilize our parks.

Fire – Chief Jenkins said the Board of Works accepted the low bid from Holman Excavating to take down 3 of the BEP properties.

He said a public hearing will be held December 29th for replacement properties.

We are almost ready to advertisement for 2nd BEP group.

CITIZEN CONCERNS/COMMENTS: Councilman Sheehan said he received a concern from Eddie Evans concerning the trimming of trees behind Washington Street. She said Bungee trims the trees once a year leaving a large mess. Evans called Bungee but received no response. She said

they give no warning that they will be coming through to trim the trees. Pavey said he will call Bungee to discuss the matter.

1. **16th Street Response Letter** – We are continuing to find a resolution.
2. **Waggoner Pool** – We are working to get the automated fixtures installed.
3. **Animal Quarantine Fees** – Pavey said a bullet point piece was sent out today. A copy of the ordinance will be sent for review.
4. **Executive and Capital Planning Retreat November 24, 2015** - The retreat will be from 8:00 – 2:00 at the Herdrich building.
5. **Ordinance 2015-15 Regulating Downtown Parking** – Berkemeier made a motion to approve Ordinance 2015-15. Conner seconded the motion. Motion carried.

NEW BUSINESS:

1. **Authorize Advertising for Adoption of NEW Zoning Ordinance and Subdivision Control** – Sheehan made a motion to advertise the new Zoning Ordinance. Conner seconded the motion. Motion carried.
2. **Ordinance 2015-16 Adoption of Zoning Ordinance and Subdivision Control** – Bridges made a motion to give preliminary approval of adoption as part of the timeline for the Zoning Ordinance and Subdivision Control Ordinance. Smith seconded the motion. Motion carried.
3. **Determine List of Council Appointments (Effective 12/1/15)** – Mayor Pavey asked if Council had any appointments in mind. He said they need 2 more appointments since they already appointed Councilman Berkemeier. Pavey said he would share his appointments with Council and their appointments could be made at the next meeting.
4. **Approval of Proposed Amendment Rush County Zoning Ordinance – Youth Camp AFO/CAFO** – Sheehan made a motion to give a favorable recommendation to the Zoning Ordinance in regard to Youth Camp AFO/CAFO. Conner seconded the motion. Motion carried.
5. **Ordinance 2015-17 Vacation of Alley** – Smith moved to table the ordinance vacating the alley. Berkemeier seconded the motion. Motion carried.
6. **Approve Petition for Legal Drain – Flatrock River Retention Pond** – Sheehan made a motion to approve the petition for a legal drain. Smith seconded the motion. Motion carried.

7. **Approve Petition to Rezone Final 15 Acres Along Hwy 52** – Conner made a motion to petition to rezone the final 15 acres along Highway 52. Smith seconded the motion. Motion carried.

ITEMS NOT KNOWN IN ADVANCE: None.

CLAIMS: Smith made a motion to approve the claims as presented. Berkemeier seconded the motion. Motion carried.

ADJOURN: There was no further business to come before Council; Conner made a motion to adjourn. Sheehan seconded the motion. The meeting adjourned at 7:17 p.m.